

Attorney Matter No.: 2747-51635/KSK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: 1649

Robert B. Harkness and
Philip A. HarknessCERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on August 18, 1999 as First Class Mail in an envelope addressed to: REFUND SECTION, ACCOUNTING DIVISION, OFFICE OF FINANCE, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

Application No.: 09/255,107

Filed: February 22, 1999

For: CLIMBER ROSE PLANT
NAMED 'HARyup'
Attorney for Applicant

Examiner:

Date: August 18, 1999

**REQUEST FOR REFUND
UNDER 37 C.F.R. § 1.26**

(Improper Charge of Deposit Account)

REFUND SECTION, ACCOUNTING
DIVISION, OFFICE OF FINANCE
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Pursuant to 37 C.F.R. § 1.26, Applicant hereby requests a refund for an assignment recordal fee improperly charged to attorney's deposit account.

The above-identified patent application was filed with the payment of a filing fee, together with an assignment recordal fee of \$40.00. A copy of the transmittal letter forwarding such application and fees and a copy of the check with which the fees were paid is attached as Exhibit A. On June 7, 1999, Applicant filed a Request for Corrected Notice of Recordation of Assignment Document to correct errors made by the Patent Office in the listing of attorney's firm name and address. A copy of the Request for Corrected Notice is attached as Exhibit B. On June 14, 1999, attorney's deposit account was mistakenly charged \$40.00 for an assignment recordal. A copy of

attorney's Monthly Statement of Deposit Account is attached as Exhibit C.

As an assignment recordal fee was paid with the filing of the application, and the Request for Corrected Notice of Recordation of Assignment Document was filed to correct errors made by the Patent Office, attorney's deposit account should not have been charged. Applicant therefore requests a refund of the \$40.00 recordal fee charged to attorney's deposit account on June 14, 1999.

Please mail the refund to the undersigned attorney, or credit the refund to our Deposit Account No. 02-4550. A copy of this document is enclosed.

Respectfully submitted,

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By 

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